

Introduced by Senator Migden

December 6, 2004

An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 22, as amended, Migden. DNA Identification Fund.

Existing law requires the Legislature to loan the Department of Justice \$7,000,000 for purposes of implementing the DNA, Fingerprint, Unsolved Crime and Innocence Protection Act, enacted by voters at the November 2, 2004, general election, to be repaid from revenue generated by the act. Existing law establishes a state DNA Identification Fund to support DNA testing and related purposes.

This bill would loan \$7,000,000 from the General Fund to the Department of Justice, and would appropriate that amount to the Department of Justice for purposes of implementing the act.

The bill also would also appropriate \$4,000,000 from the state DNA Identification Fund to the Department of Justice for purposes of implementing the act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Pursuant to subdivision (c) of Section 76104.6~~
- 2 ~~of the Government Code, the sum of seven million dollars~~

~~(\$7,000,000) is loaned from the General Fund to the Department of Justice. These funds are appropriated to the department for the purposes of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69) as approved by the voters November 2, 2004. Principal and interest on the loan shall be repaid in full no later than four years from the date of the loan and shall be repaid from revenue as specified pursuant to Section 76104.6 of the Government Code.~~

~~SEC. 2. In addition to the appropriation made by Section 1, four million dollars (\$4,000,000) is appropriated from the state DNA Identification Fund to the Department of Justice for the purpose of implementing the DNA Fingerprint, Unsolved Crime, and Innocence Protection Act, approved by the voters November 2, 2004.~~

SECTION 1. Item 0820-001-3086 is added to Section 2.00 of the Budget Act of 2004 to read:

0820-001-3086—For support of the Department of Justice..... 4,000,000

Provisions:

1. The funds appropriated in this item are for the purposes of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69) as approved by the voters November 2, 2004.

SEC. 2. Item 0820-002-0001 is added to Section 2.00 of the Budget Act of 2004 to read:

0820-002-0001—For support of the Department of Justice..... 7,000,000

Provisions:

1. The funds appropriated in this item are a loan to the Department of Justice pursuant to subdivision (e) of Section 76104.6 of the Government Code for the purposes of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (Proposition 69) as approved by the voters November 2, 2004. Principal and interest shall be repaid in full no later than four years from the date of the loan and shall be repaid from revenue from

1 the DNA Identification Fund as specified pursuant
2 to Section 76104.6 of the Government Code.

3
4 SEC. 3. This act is an urgency statute necessary for the
5 immediate preservation of the public peace, health, or safety
6 within the meaning of Article IV of the Constitution and shall go
7 into immediate effect. The facts constituting the necessity are:

8 In order to make an appropriation to implement the DNA
9 Fingerprint, Unsolved Crime and Innocence Protection Act to
10 ensure sufficient resources are available to collect DNA samples
11 and palm prints from qualifying felons and specified arrestees as
12 required by the act, it is necessary that this act take effect
13 immediately.